

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

TAREEQ AKBAR, #1097127

§

V.

§

CIVIL ACTION NO. G-07-225

§

GREGG ABBOTT

§

ORDER TO TRANSFER

On April 23, 2007, this Court received a Petition for Writ of Habeas Corpus from Tareeq Akbar, an inmate at the Huntsville Unit - TDCJ, located in Huntsville, Walker County, Texas. The Petition seeks habeas relief from an order of the Board of Pardons and Paroles denying Akbar a release to parole or mandatory supervision.

In the Fifth Circuit cases in which the Petitioner complains of actions taken by the Board of Pardons and Paroles, the Court has addressed the issue of jurisdiction and has held that "such a complaint should be raised through a § 2241 motion filed in the District Court where the prisoner is confined." King v. Lynaugh, 729 F.Supp. 57, 59 (W.D. Tx. 1990) quoting United States v. Smith, 844 F.2d 203, 207 (5th Cir. 1988) Of course, the Galveston Division is part of the Southern District of Texas; however; the Huntsville Unit - TDCJ where Akbar is assigned, is located within the Houston Division of the Southern District of Texas. It is, therefore, ORDERED that this case is TRANSFERRED to the United States District Court for the Southern District of Texas, Houston Division, for all further proceedings.

DONE at Galveston, Texas, this 26th day of April, 2007.


John R. Broeschner
United States Magistrate Judge